

## **Exhibit P**

## **Estate of John Edward Goggin**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**KAREN A. GOGGIN**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                                  : SS.:  
COUNTY OF NASSAU     )

KAREN A. GOGGIN, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 312 Clinton Street, Bellmore, New York 11710.

2. I am currently 64 years old, having been born on June 12, 1958.

3. I am the wife of John Edward Goggin, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of the claim on behalf of my husband's estate.

4. My husband passed away from pancreatic cancer on May 6, 2008, at the age of 53. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. On April 29, 2009, I was issued Letters of Administration on behalf of my husband's estate by the Surrogate's Court of the State of New York, Kings County.

6. John and I met when we were seventeen years old. We did everything together. We married young and had our son Michael a year later. Mike was a hyperactive kid, he had ADHD. John was a good father, and we worked hard to raise him. We signed our son up for

sports: football, baseball, everything. We had another child ten years later, and another child about ten years after that. John was a Detective for the NYPD. We were very involved with the Police Department, and we became friends with other police officers' families. We would go to the NYPD's Christmas parties every year. John was the provider, and I was a stay-at-home mom. John paid all the bills and did everything around the house. I didn't expect to be a widow at 49 years old with an eight-year-old son.

7. I was home on 9/11/2001. My youngest son was still in diapers. John called me and yelled, "Put the TV on!" I saw the second plane hitting the World Trade Center and thinking, this can't be happening. After that, we didn't see him for months. He was at Ground Zero cleaning up for months. It all happened so fast.

8. He didn't want to tell us anything about his cancer at first. He just thought that it was a hernia, and he was keeping it to himself. But I could tell something was wrong. His skin color was off, and he was losing weight. His condition deteriorated within a matter of weeks. One day, he had horrible pain in his stomach, so he went to the hospital. He was at NYU Langone for hernia surgery, which is where they did a biopsy that found that he actually had a malignant tumor. In April 2008, John was diagnosed with Stage IV pancreatic cancer. The doctors said he might barely have a few weeks to live. He told the doctors, "I have an eight-year-old son. How am I going to tell him that he has no father?"

9. No matter how much pain he was in, John didn't want you to see it. He was always groaning because of the stomach pain. I don't think he thought he would die so quickly. He had a jaundiced look; you could see it in his eyes. It was extremely hard to watch him suffer. He became angry and withdrawn—that's how he dealt with things. He didn't want people to come over and visit. He would start a fight out of nowhere. Not because he was angry at me or the kids, but because he was angry at the situation. It was like a "before and after", he went from happy-go-lucky to a man who was miserable and pasty. He would go on drives to be alone. When he would come home and we'd say, "I love you," he would get teary-eyed.

10. It shocked the whole family. He was unfortunately given a death sentence. The doctors said there was absolutely nothing they could do for him. John had in-house hospice. It wasn't long at all. It happened very fast. He started throwing up a lot and became very stiff and weak. He was deteriorating every day. You think, with cancer, you'd have some time. But we

didn't realize how far gone he was. He couldn't even speak toward the end. To try and make him feel better, I told him, "I'll take care of the kids, don't worry." But he did worry that he was leaving behind a wife and three children. He died shortly after that.

11. So many people died from this act of terrorism. I would think, "Who caused this, why did this happen? Did someone pay for this to happen?" I try to let it go, because I'm a forgiving type of person. But I often think about it. My kids have no father, my daughter has no father to walk her down the aisle. My son has no father to see him graduate from college. Now, my youngest son is going to take after his father and become a police officer. John died way too early. He should still be here with his family.

  
KAREN A. GOGGIN

Sworn to before me this  
12 day of July, 2022

  
Notary Public

MICHAEL FRANCIS SEIP  
NOTARY PUBLIC - STATE OF NEW YORK  
No. 01SE6423336  
Qualified in Nassau County  
Commission Expires 10/12/2025

## **Estate of Robert M. Hess**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**PATRICIA MURPHY-HESS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                                  : SS.:  
COUNTY OF QUEENS     )

PATRICIA MURPHY-HESS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 140-15 Rockaway Beach Boulevard, Belle Harbor, New York 11694.

2. I am currently 57 years old, having been born on March 11, 1965.

3. I am the wife of Robert M. Hess, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my claim on behalf of my husband's estate.

4. My husband passed away from lung cancer on May 2, 2010, at the age of 46. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. On July 25, 2011, I was appointed the personal representative of my husband's estate by the Surrogate's Court of the State of New York, Ulster County.

6. My husband was a devoted family man. We raised four beautiful children together. We had always wanted a big family. They were the focus of our lives. We lived in a town called Stone Ridge, New York, which was about 110 miles away from the city. The kids

grew up doing lots of outdoor activities and breathing fresh air. They hiked, went fishing. Before he got sick, Robert bought a canoe that we rode in the creek near our house.

7. Robert was a firefighter with the FDNY. He was promoted to Lieutenant shortly before the 9/11 attacks and hadn't been permanently assigned to any firehouse. He "bounced around" where he was needed. Prior to the promotion, he had spent 11 years as a firefighter assigned to Engine 26 and was back in his old firehouse, filling in for someone on vacation. His captain asked if he could be assigned there semi-permanently. Robert decided to stay. The station is on 37<sup>th</sup> Street and 7<sup>th</sup> Avenue in Manhattan.

8. On September 11, 2001, we lived in Marine Park, Brooklyn. My husband had traded shifts with another firefighter. He had been scheduled for the morning shift, which meant somebody else was there instead of him during the actual attacks and collapses. Soon, the FDNY called everyone in to go to the site. The department commandeered buses to pick up firefighters on the way from Brooklyn to Manhattan. My husband's bus was going over the Brooklyn Bridge when the South Tower collapsed. He learned that every member of Engine 26, including his captain, died by the time he arrived. He was the only remaining firefighter from the entire company.

9. My husband was destroyed by the news. I think the loss was too much for him to comprehend. He was laser-focused on the job and getting back to it. He spent the next two weeks at Ground Zero, and the kids and I had very little contact with him. During that time, he was being lowered down into what had been the underground commercial area of the towers. When he came home, Robert would try to explain to me what it was like searching for bodies. He said, at the beginning, they were expecting to find dead bodies or body parts that were recognizable. That's not what they found. He said it was like searching through slabs of roast beef—if it bled when you squeezed it, it was human.

10. For the first few months, he had been trying to suppress all the guilt and pain he was feeling, but he couldn't escape it. By Christmas, 2001, he became a completely different person. My husband was wracked with survivor's guilt and suffered severe PTSD. He convinced himself that he should have died that day. He started to drink very heavily and became an alcoholic. He went to get help from FDNY support services, but they didn't do anything to stop his drinking. They gave him Valium. He hated the way the pills made him feel.



They made him fall asleep while he was with the kids. He stopped taking them. The drinking came to a head in 2007. One night, while all the kids were home, he had an outburst and just went crazy. He was screaming, throwing things, breaking all the computer equipment. The kids were terrified and huddling together on the kitchen floor. That night was rock-bottom for him. He never drank alcohol after that incident. If you asked him why he stopped drinking, he'd say he knew if he took one more drink, he would risk having his kids taken away from him and never seeing them again.

11. My husband started having breathing problems shortly after coming home from Ground Zero. Before 9/11, my husband was a 38-year-old marathon runner. He was strong and healthy and loved outside activities. Six months after the attacks, he couldn't breathe while lying flat. He wasn't able to sleep in our bed. He slept in a recliner we had moved into the bedroom. He was diagnosed with sleep apnea, which meant he would stop breathing during the night and was attached to a machine that monitored his breathing in his sleep. It was very uncomfortable for him. The worse it became, the more it affected him emotionally. He was worried that he wasn't going to be able to be there for the kids, like he used to, keeping up with them, physically.

12. In February of 2010, my husband went for his regular 6-month medical exam. The doctors said he had developed polyps in his nasal cavity, and they were restricting almost all his airways. He was planning to have the polyps surgically removed. In April, the doctors checked his lungs and realized the problem wasn't just in the nasal cavity. They found a tumor was blocking his airways. He had a tumor from his airway into his lung. It was cancerous. They were perplexed because it was a cancer normally found in the intestines, not in the lungs or airways. Even though the cancer diagnosis was unexpected, the doctors were optimistic. They said he wouldn't need chemo or radiation treatments. Robert would have to retire from work, but he would recover and be able to breathe better. Before he had the surgery, he would downplay it, especially to the kids. He didn't think it was anything serious.

13. On April 23, 2010, they performed the surgery to remove the tumor. The doctors had to remove  $\frac{3}{4}$  of his lung, much more than expected. They had to cut him open from his shoulder down to the middle of his back. In the recovery room, he was screaming from pain. I've never heard my husband complain about pain, not even a headache. He could run a

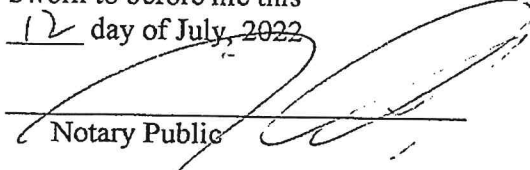
marathon and be fine the next day. I'd never known him to complain about aches and pains, until that operation. It was so bad, not even morphine relieved the pain he was in. The surgery was on a Friday. By Sunday, he had a bad fever and couldn't breathe. The doctors were unable to perform a bronchoscopy to find and fix the problem. Robert had to remain on a respirator. He kept trying to pull out the tubes. He was so frustrated in that hospital. All he wanted to do was go home and see his kids. He was a young father, a marathon runner, a firefighter—he fought like hell to stay off that respirator. He was resisting so much, the doctors had to put him into a medically induced coma to keep him from hurting himself.

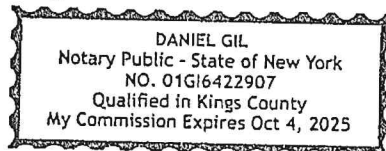
14. Doctors discovered that his body was having a negative reaction to the surgery. His lungs were filling up with fluid. His body started to drown itself. Robert's kidneys started failing, causing septic poisoning. After a week on the respirator, he died from a massive heart attack. He never left the hospital. He never came home.

15. Despite everything he'd been through, everything he had seen, every day he suffered, he would do the exact same thing if there was another 9/11. His job was to help and protect people, to protect his extended FDNY family. He told me he had no regrets about being down at Ground Zero. He lived and died like a firefighter.

  
PATRICIA MURPHY-HESS

Sworn to before me this  
12 day of July, 2022

  
Notary Public



## **Estate of Stephan Hittmann**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**GEORGIA M. ASCIUTTO**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK                    )  
  : SS.:  
COUNTY OF WESTCHESTER        )

GEORGIA M. ASCIUTTO, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1 Scarsdale Road, Apt 405, Tuckahoe, New York 10707.

2. I am currently 63 years old, having been born on April 9, 1959.

3. I am the wife of Stephan Hittmann, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of the claim on behalf of my husband's estate.

4. My husband passed away from tongue cancer on April 7, 2013. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. On July 10, 2013, I was appointed personal representative of my husband's estate by the Westchester County, New York Surrogate's court.

6. Stephan and I were married for seventeen years. We met later in life. We had our daughter when I was thirty-eight years old. We were both older, and we knew exactly what we wanted out of life and out of a partner. Stephan was twelve years older than me. I believe in the



Chinese calendar, so Stephan and I were the same sign since we were twelve years apart. We were connected in that way. I really believe we were soulmates. We both worked in education, that's how we met. Our daughter is now a teacher too. We had a lot of commonalities, and our families were very blended. I was very lucky.

7. Stephan worked out of the Brooklyn Headquarters for FDNY, at the MetroTech building. He was a full-time FDNY employee at the time of 9/11/2001. He called me immediately when the first plane hit. I had a cousin who worked in the World Trade Center for Cantor Fitzgerald, who has since passed, but he wasn't at work that day. I watched the second plane hit the towers at home with my parents. Stephan came home a couple of days later, and it was gut-wrenching. He was doing rescue and recovery at the pile. He came home forty-eight hours later, after midnight. He stood at the doorway of our bedroom, and I was in bed. The dust coming off his clothes was so strong that I started coughing. I told him go outside, take off your clothes, throw them out, and take a shower. I know that Stephan worked at the World Trade Center site from 9/11/2001 until the end of December 2001. I know he qualified to be in the Victims' Compensation Fund. We had lots of firefighters staying at our house in Yonkers during the recovery.

8. Stephan had a lump that appeared on his neck in about mid-January 2013. He asked me what I thought it was, I said maybe it's a swollen gland. When he was at his primary physician for a physical a few days following, I said, "Why don't you ask the doctor to check it out?" The doctor immediately sent him down to the ENT doctor, who found a sizeable growth on the base of his tongue. It turns out that that lump on his gland was the second site of Stage IV tongue cancer. He had no symptoms other than the tumor. It was inoperable—they couldn't take it out without removing Stephan's tongue. The cancer was already in his lymph nodes by the time he was diagnosed. He died ten weeks later.

9. I was shocked to learn that Stephan had tongue cancer. He was a healthy guy. He had been retired, and he was very active and physically fit. He worked out and even had a personal trainer. We thought he was in good shape to beat the cancer. He was a strong man and had good genes, each of his parents lived until 97 years old. We didn't want to let them know that he was sick. They had already lost another son earlier in life to an asthma attack. He had wonderful, wonderful parents—he didn't want them to worry, for the fear that it might kill them. We also didn't want our daughter to know, as she was only fifteen years old at the time.



10. Stephan was already in the World Trade Center Health Program. Our physicians here in Westchester gave him a second opinion, at the Mount Sinai Head and Neck Cancer Division. They had seen a lot of other first responders come through their doors since 9/11. They started him on aggressive chemotherapy and radiation. They put a feeding tube into his stomach. He had a surgery for the feeding tube, and he had radiation five days per week and chemotherapy one day per week. By the fifth week of chemotherapy, he was losing capacity. He continued with the radiation, but his body was quickly weakening.

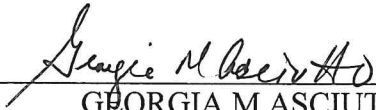
11. He was so courageous to go through the treatment. It was excruciating to have the feeding tube put in and to go through chemo and radiation. It was dehumanizing for a person, who is healthy and virile, to have to be fed through a syringe. It's just awful. Six days per week of treatment, six days per week at the hospital. I had radiation for breast cancer in 2003 and 2004, and I can't even imagine what it's like to have your tongue radiated. Imagine the pain of a throat ache, multiplied by a million times. That's what Stephan was feeling. His pharmacist knew how badly he was hurting, because they were increasing his pain medication all the time.

12. He was always worried. He certainly understood the severity of his diagnosis, and he raced to get set up with the Victims' Compensation Fund so that our family could be covered when he died. He had to focus on all his medical appointments: radiation oncologists, medical oncologists, gastro-intestinal surgeons. All these appointments were in NYC, and we were in Westchester, going back and forth. He knew what he had to do, but he also knew he was weakening. At the end, he was weak, tired, and in pain. He tried, but it was so hard. He couldn't overcome it. The cancer and the treatment were just consuming him.

13. He was the lifeline of our family. Our daughter was just a freshman in high school. So, he missed everything. Her sweet sixteen, her prom, her acceptance to college, high school graduation, moving her into and out of college. Everything a child should have their parent there for. I feel for her, and for me.

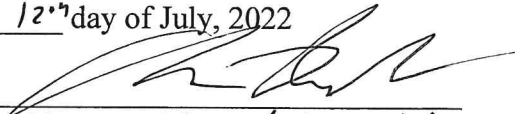
14. My husband was in public service his entire life. He worked for the federal government, the state government, and the City of New York. He was a public servant. He was devoted to education, worked for the FDNY, and was an assistant superintendent for the School for the Deaf. A terrorist attack in NYC killed him. He gave his life to the city he loved. He was born in New York, he loved New York, and he willingly volunteered to respond to the World Trade Center. He lost colleagues and friends that day. I can't tell you the emotional and

psychological toll that 9/11 took on him. The pain and suffering he endured on 9/11 remained and lingered until his death on April 7, 2013.

  
GEORGIA M ASCIUTTO

Sworn to before me this

12<sup>th</sup> day of July, 2022

  
Notary Public Andrew W. Budar  
Reg No. 02 BU 6304098  
County of Worcester exp. 5/19/2026

## **Estate of James Joseph Kelly**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
COLLEEN KELLY**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF ~~PENNSYLVANIA~~ **New Jersey** **PF**  
**PF** **GLoucester** SS.:  
COUNTY OF ~~MONROE~~

COLLEEN KELLY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 119 Alwen Avenue, East Stroudsburg, Pennsylvania 18301.
2. I am currently 70 years old, having been born on September 10, 1951.
3. I am the wife of James Joseph Kelly, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of the claim on behalf of my husband's estate.
4. My husband passed away from chronic obstructive pulmonary disease (COPD) on November 14, 2013. It was determined by the World Trade Center Health Program that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. On December 27, 2013, I was issued Letters of Administration on behalf of my husband's estate by the Register for the Probate of Wills and Grant of Letters of Administration

of the Commonwealth of Pennsylvania, Monroe County.

6. My husband and I met in 1973 and married in January 1975. James and I were very close. People who knew us, and saw us regularly, would always comment about how we were so connected to one another. During our marriage, there was nothing I wouldn't have told him and vice versa. We were just very trusting of each other. We had four children together. I remember the time when the kids were in their teenage years, and I would ask James about our parenting, "do you think we're doing the right thing?" I was working as a psychiatric nurse, sometimes with disaffected kids from broken homes, which made me worried about even small mistakes. At the end of the day, James was just supportive and would reassure me. He was also a wonderful father.

7. James was with the kids constantly. For vacations, we would often go to my parents' home in Florida where James taught them all to swim. We always stuck together and had great times on all those trips. He was always good at finding ways to make us laugh. Ultimately, as a husband and a father, James was very well respected. When we had children, decisions were made together. James would whisper to me about what he thinks we should do for the kids' punishment if they did something wrong. Sometimes he would ask me, "do you think I was too hard on that one?" He was very loving. Even when he had to work late into the evening, he would always be happy to be with us and would come home and tell us that we were the most important. When the kids were young, he would always have them laughing and telling funny stories. When James was here, it was always a household full of laughter.

8. On September 11, 2001, I received a call about the attack from my husband, and he told me what happened. Then, I didn't see him for many hours. When I finally arrived home and saw James, he told me that they asked for volunteers and that he was the first one in the group to volunteer. In fact, there were only three in the whole depot who volunteered, and he was one of them. Then, he told me some of the horrors he saw there. James said that nobody should have to die the way that these people did. Even more eerily, James told me that 9/11 reminded him of his time in Vietnam. After 9/11, James told me multiple times how everything from the war came back to haunt him. He tried to be that funny guy but every time he tried to return to normal, things would become harder for him. For example, when my younger son, Brian, was assigned to Iraq, I told James, and he started to choke up. I told him Brian was on the



phone and wanted to speak with him. James just shook his head and said he couldn't talk at that moment. The reality is that James knew the types of scenes that awaited Brian in Iraq because he knew from his own experiences in Vietnam and 9/11 how bad things could be. Later on, James said to me, my youngest son is going to see things I never wanted him to see.

9. At first, I thought James was only at Ground Zero that one time. Shockingly, I later found out that he went back about four or five times. He was only volunteering and yet he went back and forth so many times. 9/11 gave James nightmares and as a result, he would sometimes cry in the middle of the night. James would wake up the next day and report that he had that same dream again and would ask me, "did I cry last night?" I said "Jim, it's going to be okay," and I would just hold him and try to move things along towards getting some coffee and starting our day. Unfortunately, this was a common scenario that repeated multiple times with James complaining to me that he can't seem to shake the bad dreams where he's running and can't escape.

10. James' health issues became apparent after I noticed he was having trouble when he was sleeping. This was aside from the nightmares. James would sound as if he was choking, and I would wake him up. He would say he was fine but, after repeating this many times over a couple of months, I pushed him to see the doctor. In the past, I wouldn't mind a little snoring, but this post-9/11 snoring became so terrible it sounded like he was in serious trouble. The doctors conducted several tests and reported that James had oxygen deprivation and said they would give him oxygen. This seemed to help a little bit at first, but he continued to sound as if he was at times. The doctors, naturally concerned, said James' breathing issues had become more severe, and they would need to take a more aggressive approach. A lot of this treatment was in the form of myriad medications. I came back from the pharmacist with a bag full of drugs. My kids saw this and asked, "does dad take all that?" They had prescribed blood thinners, oxygen, blood pressure medications, and everything you can imagine.

11. Roughly three years after the attack, James was diagnosed with COPD. We both had our doubts about the diagnosis when we first heard. But sure enough, we got a second opinion, which confirmed the serious diagnosis. To make matters worse, the COPD affected James' cardiac health as well. The doctor described James' pulmonary function as that of an 85-year-old, even though he was in his mid-50s when he was diagnosed, clearly attributing his

condition to the pollutants floating in the air after the 9/11 attack. James was only 63 at the time he passed away. After numerous appointments, the doctor pulled me aside and said James only has a short while longer, it's just a matter of time.

12. During the few months before James passed away, he really wasn't doing much of anything at all. James stayed in bed most of the day. I would try to get him out of bed, reminding him, that it's already two o'clock in the afternoon, enticing him with some breakfast. However, it wouldn't last and after another hour or so, James would get tired and want to get back to bed. He was so tired and really couldn't be himself at all. James' affect deteriorated, and he developed an attitude of "whatever." This was really hard for me to accept given that James had always been a man who loved life. James said to me before he died, "Colleen, my love, if I could be better I would, but I can't." He was just trying to apologize for not being able to be there in the future. In retrospect, it's almost as if he knew that he was going to die soon. None of the doctors told him that directly. He must have felt it.

13. During the time James was struggling with COPD, I could see that he did have physical pain. James was a big, strong, and vibrant man. There was physical pain because my husband's illness forced him to change his lifestyle as he became less and less active. However, as he kept a lot of the pain from me, I feel that, as his condition worsened, he was in greater pain on an emotional level. James didn't even want to take pain medication to relieve his suffering because he felt that doing so would be some kind of admission of his condition. Quite frankly, after seeing him suffer the way he did, sometimes I would almost have to plead with him to take some of the pain pills. Often, I would tell James, "You're in pain, your back is killing you, and you haven't even taken a pill for the entire day" and finally he would say, "ok." This made him a difficult patient. James became very concerned that medicine would make him even more tired than he already was.

14. James needed to sleep constantly, which he didn't like it at all. Even though he was retired, James would wake up at 5 o'clock in the morning before getting tired soon thereafter. When I would find him outside, I would ask him what he was doing, and he would explain that something needs to be fixed or that he wanted everything in the house to look perfect. In general, if something was broken, James would fix it. He would work on the fencing or any cement work that needed to be done. Since James would do all the repair and

maintenance work, I never needed to call anybody else. In the past, for example, I might have said to James, our daughter, Larae, accidentally broke something in the house. Since he was a self-taught jack-of-all-trades, James would always say, "no problem, I can fix that easily." The same was true for any issue involving the car. One time, before he passed away, there was a problem with the car, and James started to look it over. He said to our son, Michael, "I don't know what you did to this Mike" but quickly reviewed the mechanic's manual and would figure out how to fix it. I knew so little about repairs, except maybe telling a hammer from a wrench, but James wanted to continue to help make these types of repairs as much as possible. After a quick review of the right book, James had things running in no time. I never needed a plumber, carpenter, or other workmen in the house, as he did it all.

15. I discerned that, by and large, James tried to mask his emotional pain, but he confided in me that he didn't even feel like a man anymore. Literally, he cried to me, "I don't know what I am; I'm nothing." Of course, I reassured my husband that it simply wasn't true, which was very hard for James to accept.

16. All of these feelings culminated in some substantial changes to James' mental health, including depression and anxiety. I know James looked depressed and remember that he took antidepressants like Lexapro, sometimes twice a day. Sadly, as his health worsened and he wasn't getting enough oxygen to the brain, James began to become psychotic. That's when I started to notice that his driving was becoming more erratic, resulting in him banging up the car. Even though James used to be a great driver, he reached a point where I didn't want him to drive, even for short trips to the store. If he wanted to go, I would tell him to rest, and he *usually* would agree, explaining that he was tired anyway. Sadly, sometimes, when I would return from the store, James would become irritable and paranoid, accusing me of being with somebody else, and would even rifle through my pocketbook for evidence. It would take some time to calm him down to the point where I would explain I was out for a short trip to get some bread because I didn't want him to take any risks getting behind the wheel.

17. As a result of a number of these incidents, James needed to take anti-psychotics. When I explained this kind of behavior to his doctor, the doctor said I could even give him two doses at a time. I finally had to give James this medication. After taking the medication, James was in more control and wouldn't be as suspicious. Essentially, I would have to add the



antipsychotics in with his other medications so that he wouldn't worry about their purpose. I'm glad he took these because he had reached a point where he would flip out over nothing, and they had a way of sedating him.

18. James felt as though he had to give up because he felt there was nothing left for him. There didn't seem to be any enjoyment in his life since everything was a struggle. It was even a struggle to breathe and to do anything because he needed oxygen. James lost the energy to keep fighting because, as a man, he felt so depleted. I think women are more accepting of their limitations sometimes. I remember my husband becoming frustrated, trying to use a screwdriver, and then not being able to use a simple tool. On another occasion, James tried to help my daughter paint her house, but it quickly became apparent that he lost the capability to do the job neatly. After painting a small portion of the wall, Larae politely explained to her dad, "it's alright, I got the wrong paint anyway." I think my daughter handled everything very well, although I'm sure James felt discouraged. As a result of James' painful experience with COPD and the terrible impact it had on all of our lives, I know that he went through a terrible ordeal. While this was all exceedingly difficult, I miss having James with us so much and wish he were still here to keep me company and take care of me as I go through my own health issues. I really need my husband. He never should have been taken from me.



COLLEEN KELLY

Sworn to before me this  
21<sup>st</sup> day of July, 2022

  
Notary Public

**PATRICK A SCHOEN**  
ID # 50036250  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires April 11, 2026

## **Estate of Geraldine Krasko**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X

GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
JOSEPH M. KRASKO**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF NEW JERSEY )

: SS.:

COUNTY OF OCEAN )

JOSEPH M. KRASKO, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 15 Leighton Lane, Manchester, New Jersey 08759.

2. I am currently 74 years old, having been born on July 20, 1947.

3. I am the husband of Geraldine Krasko ("Gerrie"), upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of the claim on behalf of my wife's estate.

4. My wife passed away from interstitial lung disease on March 19, 2014, at the age of 64. It was medically determined that this illness was causally connected to her exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. On June 18, 2014, I was appointed the personal representative of my wife's estate by the Ocean County, New Jersey Surrogate's Court.

6. I married Geraldine on June 16, 1972. At the time my wife passed away, we had been married for nearly 41 years. We were very close to one another, and she was a beautiful person inside and out. Together, we led active lives and enjoyed a healthy social life, attending

lots of parties, and most importantly, raising two children together. Geraldine and I traveled a lot because I retired from a career with an airline, and we always had good travel benefits. The four of us would take many trips down to Florida. All things considered, everything was happy go lucky, and we were a typical family of four. At the time of September 11, 2001, both of our children were still at home and hadn't yet married. After the 9/11 attacks, Geraldine started to develop various health problems, including an injured knee from falling over a body as she escaped the North Tower on 9/11 and post-traumatic stress where she would describe reliving that horrible experience. Within a few years, my wife had begun to experience some breathing difficulties. Before my wife passed away, we were anticipating some time down the road moving to South Jersey for our retirement years.

7. September 11 changed Geraldine's life 110%. She suffered as much mental stress as she did physical. My wife worked on the 67<sup>th</sup> floor of the North Tower (1 WTC), the first building that was hit, when she was working for the Port Authority of NY/NJ. At the time that I saw the attacks on television, I was praying she was in the second tower; although now, I thank God that she wasn't because the second building hit was the first building to collapse. Geraldine had to go down the staircase, with rheumatoid arthritis, which she had for most of the years we were married. I'm thankful that she had a guardian angel walk down the stairs with her, a coworker she never met before who never left her side. By the time she reached the 20<sup>th</sup> floor, my wife had difficulty breathing and continuing to move. Thankfully, her coworker stayed with her, helped give her some support, made her get up, and made sure she went the rest of the distance. When she got down to the ground level, they stayed together. However, because of the white dust flying all around, Geraldine tripped and stumbled over a body lying there. And to this day, we don't know if that body was alive, or if it was dead, because of the catastrophe going on at the time. But they made it out of tower and started up the street. And as they were walking, the South Tower was collapsing, and they were trying to outrun the cloud of white smoke that seemed to be chasing after them. Along the way, some people in the doorway of one of the stores grabbed them and pulled them both into the store to spare them from more of the white powder coming down after them. It was over an hour and a half before Geraldine was able to contact me and let me know she was alright. The coworker she was with connected with his girlfriend who had a phone and placed a call to me. When I saw the caller ID, it read 'Immaculate Conception,' I thought it must have been from heaven, and thankfully, my wife

spoke to me and told me she was okay. Finally, late in the evening of 9/11, the Port Authority police brought Geraldine over by car to Bayonne, where we lived at the time, and I brought her home. Geraldine continued to work for the Port Authority, first in a temporary location in Jersey City, NJ, and later at an office in Union Square. Whereas my wife once fell in love with New York and the Twin Towers, after 9/11 she became petrified. Ever since 9/11, Geraldine's mind was never the same, and anxiety and fear were ever-present.

8. Geraldine used to be the calm one, like a duck. The water would just roll off her back. That all changed after 9/11. She had a difficult time sleeping, sometimes just two to three hours a night before becoming restless, and then her motor would start running. Mostly, she was constantly reliving a lot of that day. As time went on, the physical impact was felt too. It started wearing her down, and Geraldine started having a hard time breathing. And she really wasn't happy go lucky as she was before. She was a different person altogether. Geraldine's exposure took a toll on her lungs. Obviously, the cloud of white dust, which included myriad substances, chased her and her friend down the block. Everybody inhaled the dust caught in the toxic air. Eventually, it came out at different times, affecting everybody in some way as life went on.

9. I remember when Geraldine really began to show signs of trouble. One evening, when we were out seeing a show, it was drizzling a little bit, and we had to go to our car, parked a block away. To avoid the rain, we started doing a trot to the car, but very, very gingerly as the rain started to pick up. By the time we got to the car, I thought she was going to have a massive heart attack. My wife was gasping for air so bad that I almost took her to the hospital. I was so scared at the time and told her that we have to find out what was causing her shortness of breath. That terrifying experience was the introduction of Geraldine's respiratory disease. I used to go to the doctor with Gerrie, and the doctor examined her, listened to her breathing, and determined that she was not alright. The doctor reported that she was having pulmonary problems and that they would continue. It scared the hell out of the both of us. In due time, Gerrie would come to need oxygen on a daily basis. In 2012, when Hurricane Sandy hit, I stocked up on big oxygen tanks in case the electricity went out in the house. I'm glad we were prepared, because sure enough, electricity was out for four or five days, during which time I obtained even more oxygen just in case the outage would have been longer. All of a sudden, we found ourselves learning a lot about breathing issues and portable oxygen devices. The oxygen was a big thing for Gerrie. She needed it, but it was something that made her uncomfortable and



self-conscious because she was concerned that people would see the oxygen tank and make a judgment about her condition.

10. When Gerrie was ill, I could see she was in great pain and had a hard time with even mild activity. Although, to her credit, Gerrie was never a moaner or a complainer. I'm sure my children can attest to the fact that their mother didn't complain much, and that I was the weaker one. I noticed changes in Gerrie's physical limitations right away. As things got worse, she had a hard time getting up from bed, or even sitting still at the edge of the bed, because she had a hard time breathing. Physically, while Gerrie was experiencing all of her respiratory issues, she was also suffering from knee pain. Despite her knee surgery, her knee never fully recovered. During the recovery period from the surgery, Gerrie had to undergo rehab work to learn how to walk again. It was a very challenging time for her. Finally, when she was in the hospital before she passed away, she couldn't even get out of bed. Ultimately, my wife's breathing got so bad, slowly but surely, it was like she had an invisible disease. We couldn't always see it, but she felt it with every breath she took.

11. For Gerrie, each pulmonary function test got worse and worse, and moving around became more and more difficult without her becoming short of breath. I know my wife tried to stay strong as possible. Gerrie did not want to ever ask for help. And, while I tried to do everything for her, gladly at her beck and call, she didn't like that experience and was saddened by the loss of independence she felt. If she were here today, she would have said that, if she had a choice, she would have chosen to go earlier than she did, essentially having given up on life. Gerrie did not want to become a burden, and she didn't want to hurt me or our kids. Gerrie wasn't afraid of dying and made peace with her maker a long time ago because of what she experienced on 9/11.

12. Emotionally, Gerrie reached a point where she had just given up on herself, the world, and on everything. I really do believe that she knew whatever was going on inside of her lungs was incurable. It was heartbreaking to watch my wife's outlook and demeanor totally change. Whereas Gerrie was usually happy to talk and was very social and engaging, she became very low key. I believe that many, many times that I saw her sitting on the couch, watching television, she might have been praying under her breath...I'm not even sure she was watching television, and she may have just sat there. She wasn't a complainer, so she was a real soldier in that regard. It's so unfortunate what happened. Gerrie's lung disease became so

aggressive, and her time came up.

13. Gerrie was in the hospital for a good 14 days before she passed away. Somehow, the doctors and the nurses taking care of her made her feel like she would be coming home soon. That was the feeling for the first five or six days, that she would come out of this and be released. However, since she would have her lung function tested each day and it wasn't getting any better, Gerrie's prognosis began to change. Gerrie didn't want to die in front of me or the kids, so she waited until nobody was there. I was on my way back to the hospital to visit her when I received the call from her doctor. After pulling off the highway, I was informed that she had passed away. My wife was my best friend and loved all of us very much. She didn't deserve to suffer the way that she did.

  
JOSEPH M. KRASKO

Sworn to before me this  
12<sup>th</sup> day of July, 2022

  
Notary Public

